

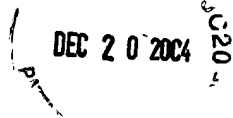
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marvin L. Bayne et al.

Serial No. 10/071,370

Filed: February 8, 2002

For: VASCULAR ENDOTHELIAL CELL GROWTH FACTOR

Art Unit: 1647Examiner: Lockard, Jon McClelland

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

12/22/2004 ZJUHAR1 00000013 132755 10071370
02 FC:1806 180.00 EA

MERCK & CO., INC.

By

Date 12/16/04

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

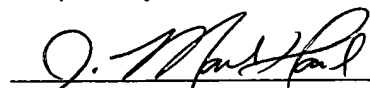
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☒ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: J. Mark Hand

Attorney _____ For Applicant(s)

Reg. No. 36,545

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-3905

Date: December 16, 2004

COMPLETE IF KNOWN

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/071,370
Filing Date	February 8, 2002
First Named Inventor	Marvin L. Bayne
Group Art Unit	1647
Examiner Name	Lockard, Jon McClelland
Attorney Docket Number	18199CB

Sheet	1	of	2
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	D	EP	0 259 953		Merck & Co., Inc.	03/16/1988
	E	EP	399 816		Merck & Co., Inc.	08/09/1990
	F		World Patent Index 90/181364		Toray Ind. Inc.	01/04/1992
	G		World Patent Index 89/088700		Toray Ind. Inc.	01/04/1992
	H	EP	186 084		Merck Co., Inc.	12/16/1985

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 09.05.2003

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/071,370	
			Filing Date	February 8, 2002	
			First Named Inventor	Marvin L. Bayne	
			Group Art Unit	1647	
			Examiner Name	Lockard, Jon McClelland	
Sheet	2	of	2	Attorney Docket Number	18199CB

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	I	Conn et al., "Amino acid and cDNA sequences of a vascular endothelial cell mitogen that is homologous to platelet-derived growth factor", Proc. Natl. Acad. Sci. USA Vol. 87 pp 2628-2632, April 1990
	J	Ferrara, N. and Henzel, W.J. "Pituitary Follicular Cells Secrete a Novel Heparin-Binding Growth Factor Specific for Vascular Endothelial Cells", Biochem. and Biophysical Research Communications", Vol. 161, pp 851-858 (1989)
	K	Laemmli, U.K. "Cleavage of Structural Proteins during the Assembly of the Head of Bacteriophage T4", Nature, Vol. 227, pp. 680-684 (1970)
	L	Saiki et al. "Enzymatic Amplification of Beta Globin Genomic Sequences.. Sickle Cell Anemia", Science, Vol. 230, pp 1350-1354 (1985)
	M	Gospodrowicz, et al. "Isolation and characterization of a vascular endothelial cell mitogen... stellate cells", Proc. Natl. Acad. Sci., USA, Vol. 86, pp. 7311-7315, October 1989
	N	Frohman et al. "Rapid production of full-length cDNAs from rare transcripts: Amplification using a single gene-specific oligonucleotide primer", Proc. Natl. Acad. sci.USA, Vol. 85, pp 8998-9002 (1988)
	O	Tischer et al. "Vascular Endothelial Growth Factor: A New Member of the Platelet-Derived Growth Factor Gene Family", Biochem. & Biophysical Research Comm. Vol. 165, pp 1198-1206 (1989)
	P	Leung et al. "Vascular Endothelial Growth Factor Is a Secreted Angiogenic Mitogen", Science, Vol. 246, pp 1306-1309 (1989)
	Q	Conn et al. "Purification of a glycoprotein vascular endothelial cell mitogen from a rat glioma-derived cell line", Proc. Natl. Acad. Sci. USA, Vol. 87, pp 1323-1327, (1990)
	R	Keck, et al. "Vascular Permeability Factor, an Endothelial Cell Mitogen Related to PDGF", Science, Vol. 246, pp 1309-1312 (1989)
	S	Bowie, et al. "Deciphering the Message in Protein Sequences: Tolerance to Amino Acid Substitutions", Science 247: 1306-1310 (1990)
	T	Joukov et al. "A novel vascular endothelial growth factor, VEGF-C, is a ligand for the Flt4 (VEGFR-3) and KDR (VEGFR-2) receptor tyrosine kinases", The EMBO Journal, Vol. 15, No. 2, pp 290-298 (1996)
	U	Conn, "Endothelial Cell Growth Factors", Yeshiva University, 1987

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.